

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
18 NOVEMBER 2020
7:30 P.M.
PUBLIC HEARING
REGULAR MEETING
DRAFT MINUTES

The Board of Trustees of the Village of Brewster is holding a virtual public hearing at 7:30 PM, on November 18, 2020 through Zoom Meeting, with a regular meeting to follow at 7:31 or soon thereafter. The Meeting ID is 207 812 8623 and the phone number needed to call in is 1-929-205-6099.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, George Gaspar, Tom Boissonnault
Village Police Chief: John Del Gardo
Village Engineer:
Village Counsel: Anthony Molé
Clerk & Treasurer: Michelle Chiudina
Deputy Clerk-Treasurer:

Absent:

Todd Atkinson

Donna Milazzo

Pledge to flag.

Public Hearing

Mayor Schoenig motions to open up the public hearing, Trustee Gaspar 2nd all in favor 5 to 0.

The Public Hearing is for the review to establish a special exception use permit within the B-2 District to allow commercial on the first floor and multifamily dwelling on the upper floors as a mixed use.

Mr. Robert Cinque would like to thank the Board for their consideration and is able to answer any questions from the public.

Counsel Molé recommends that the language be changed in section H 1 from mixed-used multifamily dwelling to mixed-used consisting of commercial on the first floor and residential on the second floor. Mr. Cinque asked the language to be changed to upper floors as there will be residential units on the third floor of the building as well. Counsel Molé will note that the residential will go above the first floor.

Mayor Schoenig motions to close the public hearing, Trustee Bryde 2nd all in favor 5 to 0.

Regular Meeting

Mayor Schoenig motions to open up the regular meeting, Trustee Bryde 2nd all in favor 5 to 0.

1. Monthly Reports

- 1.1. Code Enforcement Report, October, 2020. Mr. Bill Scorca delivers the Code Enforcement Report for October, 2020. Mr. Scorca discusses the ongoing projects in the Village of Brewster, including 85 Main Street, 55-61 Main Street, and 174 Main Street, which was a Gulf Station and will now be an Amoco Station. Mr. Scorca also discusses the 76 Gas Station sign at 949 North Main Street and how the owner would like to move the sign to the top of the awning to avoid replacing the standing sign again. Mr. Scorca informs the Board that he is beginning to receive operating permit renewals and working on completing the fire inspections, which have been delayed due to COVID-19 restrictions. Mr. Scorca notes the near completion of the Brewster Library project. Trustee Gaspar asks if Mr. Scorca keeps track of who is present during the inspections in case there is a need for contact tracing and Mr. Scorca explains that only he and the building owner are in the units during the inspections and their contact information is on the inspection form with their contact information. Mr. Scorca also mentions to Trustee Gaspar that a list of items for 530 North Main Street regarding its issues was sent to the owner of the property. Trustee Bryde notes the increase in certificates from last month. Mayor Schoenig motions to accept the October, 2020 Code Enforcement Report, Trustee Gaspar 2nd all in favor 5 to 0. Copies will be attached to the minutes.

- 1.2. Police Report, October, 2020. Chief Del Gardo delivers the Police Report for October, 2020. Trustee Gaspar asks if there are certain times of the day that the officers see intoxicated persons, and Chief Del Gardo states that they are mostly in the day time. Trustee Gaspar asks about the COVID regulations involved with catching these people who are congregating, and Chief Del Gardo states that they are far enough apart but if they are without a mask, the officers have masks to hand out. Trustee Bryde notes the increase in uniform traffic tickets, stating that she is not surprised and believes it is due to irritable or impatient people and Chief Del Gardo agrees. Trustee Bryde asks about where the vehicle accidents took place and Chief explains that all of them are at different locations. Trustee Bryde inquires about the larceny listed and Chief Del Gardo explains that these were small items that were taken but one incident involved using someone else's credit card. Trustee Gaspar mentions a personal experience where a particular vehicle that pushed him to go faster through the Village by tailgating him, and Chief Del Gardo states that the officers are patrolling particularly troubled areas to try to catch some of those people who are tailgating. Trustee Bryde notes the decrease in cell phone tickets but is still very high regardless and she is amazed that it is still a huge problem and Chief Del Gardo states that those kinds of infractions will never stop. Trustee Bryde also notes the slight increase in handicapped parking and Chief states that the officers will ticket someone immediately if they are not permitted to park in a handicapped spot. Trustee Gaspar asks where does this happened and Chief believes most of the offensives occur near the library and Trustee Gaspar recommends enhancing signage. Trustee Bryde states that the new police vehicle is very nice and she saw it at the Veteran's day memorial service and Chief thanks the Board for working with the department to get the needed vehicle. Mayor Schoenig motions to accept the October, 2020 Police Report, Trustee Bryde 2nd all in favor 5 to 0. Copies will be attached to these minutes.
2. Quote for Installation of Water Heater at the Waste Water Treatment Plant. Clerk Chiudina reminds the Board of the water heater that was approve to purchase at the last meeting and the quote to install the water heater is from Dennis Palmer Plumbing and Heating for \$1,300.00. Mayor Schoenig motions to approve the quote from Dennis Palmer Plumbing and Heating for \$1,300.00 for the installation of the water heater, Trustee Bryde 2nd, all in favor 5 to 0.
3. Quote for Water Heater #2 at the Waste Water Treatment Plant. Clerk Chiudina reminds the Board that Mr. Todd Atkinson was unable to secure a second water heater at the previous meeting but was able to for this meeting and is requesting its approval. The quote comes from Bill's Refrigeration for \$4,500.00. Mayor Schoenig motions to approve the quote from Bill's Refrigeration for \$4,500 for a second water heater, Trustee Boissonnault 2nd, all in favor 5 to 0.
4. JCAP Grant for Court – Resolution 111820-1. JCAP needed the resolution to be worded a different way and would not accept an edit to the original resolution. All paperwork is signed and the Board just needs to approve the resolution. Mayor Schoenig motions to approve Resolution 111820-1 as written, Trustee Bryde 2nd, all in favor 5 to 0.
5. Code Change to Allow a Special Exception Use Permit in the B2 District – Resolution 111820-2. Counsel Molé reminds the Board of the comments mentioned in the public hearing at the beginning of the meeting as well as the discussions with the applicant who proposed the change and notes the discussions with Mr. Todd Atkinson, Counsel Molé and Mr. Cinque about changes to the application. Counsel Molé reiterates his suggestion to change the language to say commercial on the first floor and residential on the upper floors. Clerk Chiudina informs the Board that the positive recommendations were received from the Town of Southeast Planning Department and the Putnam County Planning Department but not from the Village Planning Board, as their meeting was last night but Clerk Chiudina was told that the motions passed 3 to 1 but there is nothing in writing as of yet. Deputy Mayor Piccini motions to approve Resolution 111820-2 , pending the written approval from the Village Planning Board, Trustee Gaspar 2nd, all in favor 5 to 0.
6. Accounts for Review:
 - 6.1. Account 131 and 499. Clerk Chiudina explains that these accounts are together because they are owned by the same company, Mazal, LLC. She explains that Mr. Rony Ramirez, the property manager, contacted her last month regarding the water usage on these two properties and requested that his meter be checked. Clerk Chiudina requested that Mr. Domenic Consentino check the meters and he informed her that the meters were running high still. She states that Mr. Ramirez would like to get relief on these properties. Mr. Ramirez explains to the Board that there was a leak from a previous issue on the property resulting from when the sewer system was installed and the issue was fixed last week on Friday, November 13th. Mr. Ramirez continues explaining that at first, he thought it was a toilet but later discovered that there was an issue in the line that connects the meters on the row of properties that is owned by Mazal, LLC. Mr. Ramirez is requesting relief on Account 499, and states he is willing to pay for the water and sewer bill for Account 131. Clerk Chiudina informs the Board that Account 499's usage was 195,000 gallons and the water bill is \$5,621.45 and the sewer bill is \$3,315.00. She continues stating that normal usage for this property is about 18,600 gallons. Deputy Mayor Piccini clarifies that the sewer system was

installed 15 years ago and Mr. Ramirez confirms this and states that the job was not done correctly, which is causing him problems. Mr. Ramirez noticed that water was in the basement of 514 North Main Street and added a sump pump to take the water out and directs it to a catch basin. Trustee Boissonnault asks if the plumber dug up the lines by hand and Mr. Ramirez states that David Gillis fixed the leak that was in the driveway about 3 or 4 feet down. Trustee Gaspar asks Mr. Ramirez to explain what happened at 5 Merritt Lane, and Mr. Ramirez states that he cannot find a leak at that property but believes there is a similar issue at this property as well. Mr. Ramirez decides to withdraw the request for 5 Merritt Lane and will pay the bills in full. The Board, Mr. Consentino, Clerk Chiudina and Mr. Ramirez discuss at length the issues at the property. Mr. Ramirez asks that the Board provide him with some relief on the water and sewer bill. The Board requests that a letter from the plumber should be sent to the Village Offices discussing what was done at the property, along with the canceled check for the work done on the property and to review how the sump pump is set up, before a decision was made. The Board asks that Mr. Ramirez come to the next Board meeting on December 16, 2020.

- 6.2. Account 174 – Clerk Chiudina spoke with the owner of this property today and he decided to withdraw his complaint to the Board as new information came up about his water usage and will be paying the bills in full.
- 6.3. Account 660 – No representative from FitBody By Krista attended the meeting, therefore no decision was made.
- 6.4. Account 133 – Clerk Chiudina explains that the register on the meter was over accounting for the amount of water going through the machine, which is very rare and unusual, and she states that the account's usage was 225,000 gallons per quarter. Mr. Consentino states that he fixed the register and notes that he has only seen this happened 3 times since he's been working for the Village, and it is normally caused by human error as these meters were installed by hand. Clerk Chiudina used the amount that the meter was over accounting for and the usage metered and calculated that the water bill would be \$4,311.76 due to the running toilet on the property and the sewer would be \$2,448.00, using the newly calculated amount, which would be about 144,000 gallons per quarter. Clerk Chiudina explains that because of the tiered system that the water bills are based on works against the property in this case because it is a commercial building that is using a significant amount of water. She explains that normally buildings that use this much water are multi-unit buildings and the tiered system takes the number of units into consideration during calculation. Ms. Laurie Manning discusses the situation with the Board about the property and states that the property had minimal hours of operation due to the COVID-19 shutdown but states that a toilet leak was found at the property. Deputy Mayor Piccini states that a running toilet can use up to 300 gallons per hour. The Board, Clerk Chiudina, Mr. Consentino and Ms. Manning discuss the water bill calculation and debate on whether that is an appropriate number to use. The Board asks that Ms. Manning speak with her plumber about the issue and what his evaluation is and the Board will use that to make a decision at the next meeting, December 16, 2020.

7. November 4, 2020 Minutes for approval. Trustee Bryde motions to approve the Minutes for the November 4, 2020 meeting, Deputy Mayor Piccini 2nd all in favor 5 to 0.
8. Correspondence Sent/Received October, 2020. Deputy Mayor Piccini notes that a complaint was received about the fireworks that were heard in the Village. Mayor Schoenig motions to approve the Correspondence Sent/Received in October, 2020, Trustee Gaspar 2nd all in favor 5 to 0.
9. Vouchers Payable – Trustee Bryde reviewed the vouchers at Village Hall and found everything in order.

9.1. A -	GENERAL FUND	\$48,838.17
9.2. C -	REFUSE & GARBAGE	8,715.03
9.3. EN -	ENGINEERING FEES ESCROW	405.00
9.4. F -	WATER FUND	107,208.94
9.5. G -	SEWER FUND	65,957.49
9.6. H65 -	WELLS PARK BIKE PATH CONNECTOR	4,675.00
9.7. TA -	TRUST & AGENCY	6,156.57

Total Vouchers Payable \$241,956.20

Mayor Schoenig motions to accept the vouchers payable as written, Deputy Mayor Piccini 2nd all in favor 5 to 0.

10. Other Business

- 10.1. Deputy Mayor Piccini notices the trash cans are overflowing and violating the rules and regulations of the garbage pickup guidelines. She would like those property owners be informed that they are in violation and need to remediate the issues. She notes that Clerk Chiudina spoke with representatives of Suburban Carting and decided that the Village bulk pickup dates for next year will be March 15 and September 25, 2021. Trustee Gaspar

mentions that Mr. Consentino mentioned that there could be snow that day but the Village will not be changing the date. Clerk Chiudina notes that bulk pick up was at that same time in 2020 as it is scheduled for in 2021. Mayor Schoenig asks Mr. Scorca to mention to the other Code Enforcement Officers regarding the garbage rules and regulations need to be followed by all residents. Deputy Mayor Piccini notes that there is no limit on the number of cans so property owners can purchase another can to put their overflow garbage in.

10.2. Trustee Gaspar mentions that himself, Trustee Bryde and Clerk Chiudina attended the Veteran's Day Ceremony on November 11th at Electrozone Field and was honored to be able to go and represent the Village.

10.3. Trustee Bryde notes that she has attended the Veteran's Day Ceremony every year and states that although the crowd wasn't as large this year, it was an important crowd as many of the Veteran's in the area were able to attend. She also notes that Mr. Kyle DeSantis was recognized for his Eagle Scout Project for his remembrance banners for the local Veterans that are posted in the Village.

11. New Business

11.1. Trustee Gaspar discusses his concerns about the meter problem that was discussed earlier in the meeting. He believes the Board should start discussing ways to replace the meters with newer models as we do not want a repeat of this issue. Mayor Schoenig states that the Board will look into getting new meters in next year's budget and notes that although in the situation discussed earlier the meter was reading high, most meters will slow down and will under account for the water. Trustee Gaspar asks about the status of the Hillside water issue that was discussed at the previous meeting and Clerk Chiudina states that there is no new information. She continues explaining that a resident from the area did call the office on Veteran's Day but the office was closed and this resident did not email her so we were unable to investigate the problem. Clerk Chiudina notes that this resident has samples of this water from the days it was very discolored, if the Board needs to see those.

11.2. Trustee Bryde states that this is the last meeting before the Organizational Meeting on December 7, 2020 and she would like to acknowledge some people. First being the Village Office staff, which she has spent a lot of time with over the past few months, and notes that they have worked hard and the Board should be very grateful for all that they do, especially with the hardships this year. She would also like to thank Court Clerk Jean Macli, who she has worked closely with during the Court Auditing Process, for her service to the Village Court and it was always a pleasure to work with her. Trustee Bryde notes that Court Clerk Macli will be missed along with Judge O'Rourke. Trustee Bryde would also like to thank Counsel Molé for his service to the Village and this Board and he will be sorely missed, and the Board agrees. Trustee Bryde welcomes Judge Andrew Negro and Court Clerk Brittany Lowe to the Village Courts to replace Court Clerk Macli and Judge O'Rourke.

11.3. Trustee Boissonnault is working on getting the tree decorated and Mayor Schoenig states that the Board will discuss this in executive session.

11.4. Mayor Schoenig states that Court Clerk Jean Macli and Judge Richard O'Rourke will be retiring at the end of the month and would like to thank them for their service to the community. Mayor Schoenig also praises Counsel Molé for his hard work. He remarks that hiring Counsel Molé 12 years ago was one of the best decisions that he has made. Counsel Molé thanks the Mayor and the Board for their kind words and would like to mention that this Board is the most pleasurable Board to work with, putting politics aside and doing what is best for the Village.

12. Public Comment

12.1. Mr. James Nixon, representing the property owner, Marta Guerra, of 55-61 Main Street. Mr. Nixon states that Ms. Guerra is filing permits for repairs that need to be done on the building, including a new roof and structural repairs. Mr. Nixon notes that there were discussions of further improvements with the Building Department but was informed that the Urban Renewal Project was moving forward and this property is in one of the Urban Renewal Zones. Mr. Nixon describes the history and lay out of the buildings located at 55-61 Main Street and discusses the new owner's vision for the renovations for that property. Mr. Nixon asks the Board if there is any time frame for the Urban Renewal Project that the owner and himself, should be considering when making these decisions on the renovations. Mayor Schoenig states that the agreement with DEP is awaiting a finalized schedule and appropriate signatures so this project will start moving forward once the agreement is received which could be very soon and Counsel Molé confirms this. The Board and Mr. Nixon discuss the plans for the Urban Renewal Project and how the properties will be acquired by the developer. The Mayor asks if Mr. Nixon would like to hear from the developer about their desired timeline for the redevelopment of that phase of the revitalization as the Board cannot speak for the developer and Mr. Nixon says he appreciates that. Trustee Gaspar asks to be a part of this meeting and Mayor Schoenig states that there will be an update from the developer in the coming weeks.

- 12.2. Mr. Rick Lowell, representing the Village Planning Board, states that the Planning Board approved the allowance of a Special Exception Use Permit for commercial use below a residential use building in the B2 district. Mr. Lowell will submit a signed copy of the resolution as soon as possible and notes that it includes concerns on parking. Deputy Mayor Piccini states that earlier in the meeting the Board allowed the inclusion of a Special Exception Use Permit as requested in that district and no decisions on any particular property were made.
13. Mayor Schoenig motions to go into executive session for contractual reasons, and action may be taken after the session, Trustee Bryde 2nd, all in favor 5 to 0.
14. Deputy Mayor Piccini motions to come out of executive session, Trustee Boissonnault 2nd, all in favor 5 to 0.
15. Mayor Schoenig motions to resume the regular meeting, Deputy Mayor Piccini 2nd, all in favor 5 to 0. Mayor Schoenig notes that there will be no action taken.
16. Mr. John Lord requests to speak as he was unable to do so during Public Comment due to technical issues. The Board allows Mr. Lord to ask his question. Mr. Lord asks about when the Route 6 / Carmel Avenue Bridge will be completed. Clerk Chiudina states that there is no update to the end date at this time, and Deputy Mayor Piccini notes that the end was originally November 30th but that is no longer the case due to the delays the crew experienced this year. Mr. Lord also asks if the Village will be conducting a police reform collaborative review of the Village Police Department and requests the status of the review and Mayor Schoenig confirms this and states that no committee has been formed yet but the Chief is working on that and working with Putnam County on this reform. He continues explaining that Putnam County will have a committee and so will the Village of Brewster. Mr. Lord asks if the Village will be using the same reform plan as the County and Mayor Schoenig states that the Village will have their own committee but they will be using a similar plan as the County but there will be some differences as there are certain criteria that doesn't affect the Village.
17. The Board reiterates how deeply missed Counsel Molé will be at the meetings and Counsel Molé thanks the Village for the opportunity to represent them.
18. Deputy Mayor Piccini motions to adjourn the meeting, Trustee Gaspar 2nd, all in favor 5 to 0.

October, 2020 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

October, 2020 SUMMARY REPORT

		Year to Date
A.1560 SAFETY INSPECTION =	\$1,600.00	8,445.00
A.2555 BUILDING FEES =	1,372.00	15,509.00
A.2590 PROPERTY REG =	25.00	50.00
<hr/>		
TOTAL FOR OCTOBER =	\$2,997.00	24,004.00
PERMITS:	8	
VIOLATIONS:	1	
INSPECTIONS*:	2	
CERTIFICATES:	9	
PROPERTY REGISTRATIONS:	1	

*Inspections total does not include inspections that the Village does not charge for as inspections, such as site visits, plumbing inspections, final inspections, gas tests, driveway inspections, boiler inspections, dryer vent inspections, roof inspections, etc. The inspections listed above are reflected in building fees and are a part of the permit amount.

OCTOBER 2020 MONTHLY REPORT



POLICE CHIEF
John Del Gardo

VILLAGE OF BREWSTER POLICE DEPARTMENT
MONTHLY REPORT

To: Mayor James Schoenig - Board of Trustees
FROM: Police Chief John Del Gardo
OCTOBER 2020

911 CALLS	67	VEHICLE REPAIRS	\$260.00
WALK IN COMPLAINTS	6	VEHICLE MILEAGE	4244
TOTAL CALLS FOR SERVICE	73	VEHICLE FUEL	590
FOOT PATROL			
Main Street:	20		
MTA	23		
Residential:	18		
TOTAL HOURS	61		
Court Hours - Village	60	(Security Detail) 2 Officers	
Court Hours - S.E.	126	(Security Detail) 3 Officers	
TICKETS			
Uniform Traffic Tickets:	159		
Parking Tickets:	21		
Local Ordinance	2		
TOTAL TICKETS	188		
ARRESTS			
QUINONES 511 ARREST	1		
FISHER THEFT/RESIST	1		
SAMPLE UPM	1		
TOTAL ARRESTS	3		

911 DISPATCHED CALLS – 67 CALLS

AIDED – 14

VEHICLE ACCIDENT – 9

DISPUTE – 4

DISORDERLY / INTOX PERSONS - 5

FIRE ALARM - 6

911 HANGUP – 6

LARCENY - 4

ASSIST PCSO – 2

WELFARE CHECK – 1

LOCK OUT – 1

PARKING CONDITION – 1

NOISE CONDITION – 3

HOMELESS CONDITION – 2

SUSPICIOUS VEHICLE/PERSON - 4

BOLO – 2

HARASSMENT- 2

GAS LEAK - 1

VILLAGE OF BREWSTER POLICE

SELECTIVE TRAFFIC ENFORCEMENT

OCTOBER 2020

STOP SIGN – 12

SPEED – 69

CELL PHONE – 19

RED LIGHT – 12

UNLICENSED OPERATOR – 6

DISOBEY SIGN - 2

HANDICAP PARKING – 4

TOTAL – 124